

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CROW BUTTE RESOURCES, INC. ,)	Docket No. 40-8943
)	ASLBP No. 08-867-02-OLA-BD01
(License Renewal for the)	
In Situ Leach Facility, Crawford, Nebraska))	May 8, 2015

JOINT INT/OST FILING OF
POSITION STATEMENT AND DIRECT TESTIMONY; UNOPPOSED MOTION
FOR ONE-WEEK RELIEF FROM INSERTION OF EXHIBIT NUMBERS

Consolidated Intervenors¹ hereby submit this Joint INT/OST Filing Of Position Statement and Direct Testimony; Unopposed Motion For One-Week Relief From Insertion Of Exhibit Numbers Into PDF Files filed as Exhibits:

Consolidated Intervenors and Oglala Sioux Tribe have timely submitted the Position Statement, Direct Testimony, Exhibits, Exhibit List and Updated Witness List in accordance with the Board's Case Management Order dated March 25, 2015.

Consolidated Intervenors and Oglala Sioux Tribe have endeavored to comply with the Board's technical requests.

In one area, the Consolidated Intervenors and Oglala Sioux Tribe counsels, as unfunded *pro bono* counsels, have had particular difficulty is in complying with the

¹ Western Nebraska Resources Council ("WNRC"), Owe Aku/Bring Back the Way, Debra White Plume, Beatrice Long Visitor Holy Dance, Joe American Horse & Tiospaye, Thomas Cook, Loretta Afraid-of-Bear Cook & Tiwahe. Debra White Plume, Beatrice Long Visitor Holy Dance, Joe American Horse and Loretta Afraid-of Bear Cook are members of the Oglala Sioux Tribe (the "Tribe") at Pine Ridge Indian Reservation.

Board's order to insert the 'INT-123' designation on the first page, upper right corner of each filed Exhibit. Consolidated Intervenor and Oglala Sioux Tribe counsels do not have computer software capabilities that would allow such a text insertion to be done efficiently or economically. Apparently there are software downloads available but they require prior ownership of the Adobe Acrobat software and, to the best knowledge of the undersigned, none of the counsels of Consolidated Intervenor or Oglala Sioux Tribe have ownership of such software. Accordingly, the Consolidated Intervenor and Oglala Sioux Tribe have not been able to comply with the Board's requirement as to insertion of the 'INT-123' designation on the first page, upper right corner, of each filed Exhibit.

Consolidated Intervenor and Oglala Sioux Tribe propose that Consolidated Intervenor and the Oglala Sioux Tribe be allowed to file the exhibits filed today without the exhibit numbers inserted, and be relieved from the requirement of inserting 'INT-123' designations into PDF files for a one week period to allow time to have such exhibit numbers inserted. We have identified volunteers known to the OST's counsel who have offered to use their software to do the job for us and, in any event, we should be able to have it done at a copy/print shop if necessary.

Consolidated Intervenor have notified the other parties of this issue and have consulted with them pursuant to Rule 2.323 concerning proposed motions and neither CBR nor NRC has any objection to giving us additional time to insert the exhibit numbers. Based on the foregoing, Consolidated Intervenor and Oglala Sioux Tribe make a joint motion that the exhibits filed today be accepted and that we be relieved from the requirement of inserting 'INT-123' designations into PDF files for a one week period

and that we be allowed to submit such exhibits with the exhibit numbers inserted into the PDF files next week so as to allow time to do it efficiently and at low or no cost to Consolidated Intervenors and the OST. It is not being proposed that any deadline dates in this proceeding be changed or altered in any way.

Since this motion is unopposed, relates to a clerical/administrative item and does not alter the agreed upon pre-hearing or hearing schedule, the Board should grant the motion as proposed and accept the filings of even date herewith.

Dated this 8th day of May, 2015.

Respectfully submitted,

_____/s/_____
David Frankel
Counsel for Consolidated Intervenors
1430 Haines Ave., Ste. 108-372
Rapid City, SD 57701
Tel: 605-515-0956
E-mail: arm.legal@gmail.com

_____/s/_____
Thomas J. Ballanco
Counsel for Consolidated Intervenors
945 Taraval Ave. # 186
San Francisco, CA 94116
(650) 296-9782
E-mail: HarmonicEngineering@gmail.com

_____/s/_____
Bruce Ellison
Counsel for Consolidated Intervenors
P.O. Box 2508
Rapid City, SD 57709
Tel: 605-348-9458
Email: belli4law@aol.com

_____/s/_____
Andrew B. Reid, Esq.
Counsel for the Oglala Sioux Tribe
The Ved Nanda Center for International
& Comparative Law
University of Denver Sturm College of Law 2255 East Evans Avenue
Denver, CO 80208
Tel: 303.437.0280 / Fax: 303.832.7116
Email: lawyerreid@gmail.com

May 8, 2015

In the Matter of)	
)	
CROW BUTTE RESOURCES, INC. ,)	Docket No. 40-8943
)	ASLBP No. 08-867-02-OLA-BD01
(License Renewal for the)	
In Situ Leach Facility, Crawford, Nebraska))	May 8, 2015

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ‘**JOINT INT/OST FILING OF POSITION STATEMENT AND DIRECT TESTIMONY; UNOPPOSED MOTION FOR ONE-WEEK RELIEF FROM INSERTION OF EXHIBIT NUMBERS**’, in the captioned proceeding were served via email on the 8th day of May 2015, which to the best of my knowledge resulted in transmittal of same to those on the EIE Service List for the captioned proceeding.

Respectfully submitted,

_____/s/_____
David Frankel
Counsel for Consolidated Intervenor
1430 Haines Ave., Ste. 108-372
Rapid City, SD 57701
605-515-0956
E-mail: arm.legal@gmail.com